



## Legislation Text

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**File #:** 3312-2018, **Version:** 1

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### **Council Variance Application: CV18-064**

**APPLICANT:** Brenda S. Parker; 405 North Front Street; Columbus, Ohio 43215.

**PROPOSED USE:** Two-unit dwelling.

**NEAR EAST AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The site consists of a single undeveloped parcel zoned in the R-3, Residential District. The existing zoning is the result of a city-initiated downzoning of the neighborhood in 1974 (Z73-197). A Council variance is necessary because the current zoning district permits only single-unit dwellings, while the applicant proposes a two-unit dwelling. The site is within the planning area of the *Near East Area Plan* (2005), which recommends "Lower and Medium Residential Density" uses for this location. The Plan does state that, in general, housing types and density should be consistent with the housing types and densities found in the surrounding area. City staff supports the requested variance as the proposal is consistent with the housing types, density, and development pattern found along Taylor Avenue.

To grant a Variance from the provisions of Section 3332.035, R-3, Residential District of the Columbus City Codes for the property located at **249-251 TAYLOR AVENUE (43203)**, to permit a two-unit dwelling in the R-3, Residential District (Council Variance #CV18-064).

**WHEREAS**, by application #CV18-064, the owner of the property at **249-251 TAYLOR AVENUE (43203)**, is requesting a Variance to permit a two-unit dwelling in the R-3, Residential District; and

**WHEREAS**, Section 3332.035, R-3, Residential District, lists single-unit dwellings as the only permitted residential use, while the applicant proposes a two-unit dwelling; and

**WHEREAS**, the Near East Area Commission recommends approval; and

**WHEREAS**, City Departments recommend approval because the requested Council variance will permit a two-unit dwelling that is consistent with the housing types, density and development pattern found along Taylor Avenue; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; and

**WHEREAS**, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

**WHEREAS**, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at, in using said property as desired; now, therefore:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That a variance is hereby granted from the provisions of Section 3332.035, R-3, Residential District of the Columbus City Codes; for the property located at **249-251 TAYLOR AVENUE (43203)**, insofar as said section prohibits a two-unit dwelling in the R-3, Residential District; said property being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and in the City of Columbus and further described as follows:

Being Lot Number Thirteen (13) of Isam and Lucy Johnson's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Page 38, Recorder's Office, Franklin County, Ohio.

AND BEING FURTHER KNOWN AS: 249-251 Taylor Avenue, Columbus, OH.

PERMANENT PARCEL NO.: 010-042113.

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used as a two-unit dwelling in accordance with the submitted site plan, or those uses permitted in the R-3, Residential District.

**SECTION 3.** That this ordinance is further conditioned on the subject site being developed in general conformance with the plan titled, "**SITE PLAN**," dated November 16, 2018, and elevations titled "**ELEVATIONS**," and "**DETACHED GARAGE**," both dated August 3, 2018, all signed by Brenda S. Parker. The plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plans shall be subject to review and approval by the Director of the Department Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned upon the following: If vinyl siding is used as a construction material, it shall be a minimum of 0.4 gauge.

**SECTION 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.